

AMENDED IN ASSEMBLY MARCH 5, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 52

Introduced by Assembly Member Portantino

December 2, 2008

An act to amend Sections 1627, 1628, and 1630 of, *to amend, repeal, and add Sections 102247, 103605, and 103625 of*, and to add Sections 1627.5 and 1627.7 to, the Health and Safety Code, relating to umbilical cord blood banking.

LEGISLATIVE COUNSEL'S DIGEST

AB 52, as amended, Portantino. Umbilical Cord Blood Collection Program.

Existing law requires the State Department of Public Health to establish, by January 1, 2010, and until January 1, 2015, the Umbilical Cord Blood Collection Program for the purpose of increasing the amount of umbilical cord blood that is donated in the state and that will be added to the national inventory. Existing law authorizes the department, to the extent private or public funds are identified for this purpose, to contract with blood banks that are licensed or accredited to provide umbilical cord blood banking storage services, for the purpose of collecting and storing umbilical cord blood.

This bill would, instead, require the department to establish the Umbilical Cord Blood Collection Program from January 1, 2011, until January 1, 2020, for the purpose of collecting and storing umbilical cord blood for public use, as defined, for human transplantation and human research. The bill would require the department to contract with up to 5 entities, including blood banks that are licensed or accredited to provide umbilical cord blood banking storage services, to collect,

and make available for transplant or medical research, umbilical cord blood.

The bill would also establish an implementing committee composed of specified members to develop policy recommendations for purposes of implementing the program.

The bill would require the department, in consultation with the implementing committee, to submit to the Governor and specified committees of the Legislature, 2 reports on the effectiveness of the program by January 1, 2013, and January 1, 2018, respectively, and would require the program to conclude no later than December 31, 2019.

Existing law provides that any funds made available for purposes of the program shall be deposited into the Umbilical Cord Blood Collection Program Fund. Existing law provides that moneys in the fund shall be available, upon appropriation by the Legislature, for purposes of the program. Existing law provides that the fund shall include any federal, state, and private funds made available for purposes of the program.

Existing law requires the collection of a \$7 fee for certified copies of birth certificates.

This bill would, instead, until January 1, 2020, require the collection of a \$9 fee for certified copies of birth certificates and require that \$2 of any \$9 fee be paid to the Umbilical Cord Blood Collection Program Fund. The bill would make other conforming changes.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) The umbilical cord and placenta are discarded as medical
- 4 waste in a large majority of American births. However, the blood
- 5 retrieved from the umbilical cord is rich in stem cells known as
- 6 hematopoietic progenitor cells (HPCs) and can be used today to
- 7 treat nine disorders and diseases. Clinical trials, which are currently
- 8 at various stages, may reveal that umbilical cord blood could be
- 9 used to treat many other disorders and diseases. These disorders
- 10 and diseases include: (1) blood cancers such as leukemia, myeloma,
- 11 and lymphoma; (2) immunodeficiencies and genetic diseases,
- 12 including sickle cell anemia, thalassemia, *and* inherited marrow

1 failure disorders; and (3) inherited disorders or errors of
2 ~~metabolisms~~ *metabolism*.

3 (b) Umbilical cord blood has been used in about 8,000
4 transplants since 1988 and has many benefits over bone marrow.
5 The donation procedure, conducted after birth, is painless, quick,
6 and risk free for the mother and newborn baby.

7 (c) The National Marrow Donor Program has the largest registry
8 in the United States that can be searched for a marrow or umbilical
9 cord blood match when stem cell transplants are needed. In order
10 to find the best tissue match for optimal transplant outcome, genetic
11 diversity is needed since a patient's most likely match is someone
12 of the same heritage. According to the National Marrow Donor
13 Program, over 10,000 children and adults in the United States
14 would benefit from a transplant from someone unrelated to them,
15 but only 25 percent actually receive one. This is, in part, due to
16 the lack of acceptable stem cell ~~source~~ *sources*.

17 (d) Finding a marrow or blood donor match is challenging for
18 people of all races. Only 30 percent of patients in need of a marrow
19 or an umbilical cord blood transplant find a matched donor in their
20 family. The other 70 percent search registries for an unrelated
21 donor or umbilical cord blood units. Finding a match is particularly
22 difficult for people of color, including people of multiracial
23 ancestry, because they are underrepresented in the national
24 inventory. Many of these patients die while waiting for a transplant.

25 (e) Because most national health and medical organizations do
26 not recommend private umbilical cord blood banking unless there
27 are known health reasons, it is not the intent of the Legislature to
28 collect umbilical cord blood for private use.

29 (f) The Institute of Medicine of the National Academies' report
30 "Cord Blood: Establishing a National Hematopoietic Stem Cell
31 ~~Bank-Program (2005)~~ *Program*" (2005) calls for an increase in
32 the volume and genetic diversity of umbilical cord blood public
33 bank inventory. This report was the basis for establishing the
34 national Stem Cell Therapeutic and Research Act of 2005 which
35 provides for the collection and maintenance of human umbilical
36 cord blood stem cells for the treatment of patients and research.
37 This act dedicated funds for this purpose.

38 (g) California has been a leader in umbilical cord blood
39 transplant research through a number of previous projects including
40 a sibling donor pilot project, through participation in the national

1 study, and its current involvement in the national cord blood
2 program.

3 (h) The national cord blood program has a goal of collecting
4 150,000 genetically diverse units in order to increase the best
5 chances of tissue matches. Due to a low supply of ethnically diverse
6 umbilical cord blood ~~they have~~ *the program has* specified target
7 collection goals for specific ethnicities, including, but not limited
8 to, Native American, Latino, African American, and Asian
9 populations, and persons of multiracial ethnicities.

10 (i) California is uniquely situated to add volumes of genetically
11 diverse, high-quality umbilical cord blood units for public banking
12 because of its high birth rate of more than 550,000 births per year
13 and ethnically diverse population. This contribution will not only
14 serve the health needs of California constituents, but can contribute
15 to the national and international umbilical cord blood inventory
16 efforts.

17 (j) An increase in stem cell transplants is also cost effective. It
18 will save the state, insurers, donors, and patients significant moneys
19 now being spent on lifetime medical treatments and relieve ongoing
20 pain and anguish of affected patients and their families.

21 SEC. 2. Section 1627 of the Health and Safety Code is amended
22 to read:

23 1627. (a) (1) On or before January 1, 2011, the State
24 Department of Public Health shall establish the Umbilical Cord
25 Blood Collection Program (hereafter program) for the purpose of
26 collecting and storing umbilical cord blood for public use for
27 human transplantation and human research. The program shall
28 conclude no later than December 31, 2019.

29 (2) For purposes of this article, “public use” means both of the
30 following:

31 (A) The collection of an inventory of genetically diverse
32 umbilical cord blood, for placement in the National Cord Blood
33 Inventory-Registry, to increase the likelihood of a patient obtaining
34 a suitable donor match.

35 (B) The use of research protocols approved by the Committee
36 for the Protection of Human Subjects or an institutional review
37 board, as defined in subdivision (e) of Section 125330, to further
38 the understanding of the use of umbilical cord blood as tissue to
39 treat human diseases.

1 (b) In implementing this program, the department shall consider
2 the policy recommendations of the implementing committee
3 established pursuant to Section 1627.5.

4 (c) (1) In order to implement the program, the department shall
5 contract with up to five entities, including entities that are licensed
6 or accredited to provide umbilical cord blood collection and data
7 processing services, and entities that provide umbilical cord blood
8 banking storage services that are licensed or accredited pursuant
9 to Section 1604.6, to build an inventory of anonymous umbilical
10 cord blood units and make the inventory available for transplant
11 or medical research for purposes consistent with the public use,
12 as defined in paragraph (2) of subdivision (a). The department
13 shall ensure that any cord blood bank receiving funds through the
14 program also meets the federal requirements outlined in the C.W.
15 Bill Young-Cellular Cell Transplantation Program (42 U.S.C. Sec.
16 274k et seq.) so that all umbilical cord blood units collected can
17 be listed through the National Cord Blood Inventory-Registry. A
18 medical provider or research facility shall comply with, and shall
19 be subject to existing penalties for violations of, all state and federal
20 laws with respect to the protection of any medical information, as
21 defined in subdivision (g) of Section 56.05 of the Civil Code, and
22 any personally identifiable information contained in the umbilical
23 cord blood inventory.

24 (2) In selecting qualified entities under this subdivision, the
25 following shall apply:

26 (A) The department may use a competitive process to identify
27 qualified entities to administer the program.

28 (B) In order to qualify for selection under this section, an entity
29 shall have experience in blood collection, labeling, storage,
30 transportation, or distribution. The department shall select entities
31 with demonstrated ability to retrieve umbilical cord blood from
32 ethnically diverse communities.

33 (d) The program shall attempt to meet at least all of the
34 following objectives:

35 (1) Define and identify qualified umbilical cord blood collection
36 entities.

37 (2) Design a competitive process to identify qualified
38 participants licensed or accredited to harvest umbilical cord blood
39 in a manner that complies with state and federal regulations.

1 (3) Establish criteria for determining which units of umbilical
2 cord blood may be used for research versus transplantation, and
3 policy addressing circumstances under which umbilical cord blood
4 may be used for either purpose.

5 (4) Create collection targets for ethnically diverse populations
6 in accordance with identified deficiencies in inventories.

7 (5) Consider a medical contingency response program to prepare
8 for and respond effectively to biological, chemical, or radiological
9 attacks, and other public health emergencies requiring treatment
10 with umbilical cord blood.

11 (6) Develop a public awareness campaign that includes, but is
12 not limited to, activities described in Section 123370.

13 (7) Increase hospital participation in collection and storage
14 efforts, and identify funding sources to offset the financial impact
15 on hospitals.

16 (8) Determine whether the program will require training of
17 health care providers relative to handling, labeling, transporting,
18 and storing umbilical cord blood.

19 (9) Determine policy on obtaining patient consent and timing
20 of consent in relation to existing law and standards of care.

21 (10) Determine whether current law and guidelines applicable
22 to donor confidentiality and security of donor information are
23 sufficient and, if they are insufficient, what additional requirements
24 or guidelines are necessary.

25 (11) Determine whether a sibling donor component would help
26 achieve the overall inventory goals of the program.

27 (12) Explore feasibility of operating the Umbilical Cord Blood
28 Collection Program as a self-funding program.

29 (13) Ensure that California's Umbilical Cord Blood Collection
30 Program does not conflict with other state, national, and
31 international efforts to generate an adequate inventory of;
32 high-quality umbilical cord blood.

33 (e) In implementing the program, the department shall make
34 every effort to avoid duplication or conflicts with existing and
35 ongoing programs and to leverage existing resources. The
36 department shall use its existing authority to promote the collection,
37 storage, retrieval, and distribution of umbilical cord blood and
38 advise the Legislature of its needs to accomplish these goals.

39 (f) (1) All information collected pursuant to the program shall
40 be confidential, and shall be used solely for the purposes of the

1 program. Access to confidential information shall be limited to
2 authorized persons who agree, in writing, to maintain the
3 confidentiality of that information.

4 (2) Any person who, in violation of a written agreement to
5 maintain confidentiality, discloses any information provided
6 pursuant to this section, or who uses information provided pursuant
7 to this section in a manner other than as approved pursuant to this
8 section, may be denied further access to any confidential
9 information maintained by the department, and shall be subject to
10 a civil penalty not exceeding one thousand dollars (\$1,000). The
11 penalty provided for in this section shall not be construed as to
12 limit or otherwise restrict any remedy, provisional or otherwise,
13 provided by law for the benefit of the department or any other
14 person covered by this section.

15 (3) Notwithstanding the restrictions of this section, an individual
16 to whom the confidential information pertains shall have access
17 to his or her own personal information.

18 SEC. 3. Section 1627.5 is added to the Health and Safety Code,
19 to read:

20 1627.5. (a) There shall be established, within the State
21 Department of Public Health, an implementing committee to
22 provide guidance and policy suggestions to the department on the
23 implementation of the Umbilical Cord Blood Collection Program
24 created pursuant to Section 1627.

25 (b) (1) The implementing committee shall be composed of 15
26 members. The committee shall include representatives with
27 expertise and experience in all aspects of umbilical cord collection
28 and storage. On or before March 1, 2011, the Governor, the Senate
29 Committee on Rules, and the Speaker of the Assembly shall each
30 appoint five members of the implementing committee.

31 (2) The implementing committee shall include all of the
32 following:

33 (A) Two representatives of blood banks licensed or accredited
34 to provide umbilical cord blood services.

35 (B) A representative of a stem cell transplant center that uses
36 umbilical cord blood.

37 (C) Two representatives from hospitals providing labor and
38 delivery services, including one representative from a large hospital
39 system and one representative from an independent hospital. At

1 least one representative shall represent a hospital currently
2 participating in umbilical cord blood collections.

3 (D) Three physicians of different practice types or geographical
4 regions. One physician shall have expertise in umbilical cord blood
5 transplantation, one physician shall have expertise in obstetrics or
6 gynecology, and one shall have expertise in oncology, hematology,
7 or a pediatric specialty that treats children with anemia, immune
8 disorders, or cancers that may be treated with stem cell
9 transplantation.

10 (E) A patient or relative of a patient who has received transplants
11 using umbilical cord blood.

12 (F) A previous donor of umbilical cord blood or a person who
13 has searched or has been involved in searching for an unrelated
14 donor of umbilical cord blood.

15 (G) A person with expertise in typing, matching, and transplant
16 outcome data analysis.

17 (H) A scientist with expertise in stem cell biology.

18 (I) Two representatives of organizations focusing on medical
19 conditions that involve umbilical cord blood treatments or ethnic
20 or racial health disparities.

21 (J) A health plan medical director.

22 (c) Implementing committee members shall serve without
23 compensation, except that members shall be reimbursed for
24 authorized travel costs and expenses.

25 (d) For purposes of implementing the program established
26 pursuant to Section 1627, the implementing committee, by January
27 1, 2012, shall make initial policy recommendations to the
28 Legislature, the Assembly and Senate Health Committees, the
29 Assembly and Senate Judiciary Committees, the Governor, and
30 the department on meeting the objectives contained in subdivision
31 (d) of Section 1627.

32 SEC. 4. Section 1627.7 is added to the Health and Safety Code,
33 to read:

34 1627.7. The department, in consultation with the implementing
35 committee established pursuant to Section 1627.5, shall submit
36 two reports to the Assembly and Senate Health Committees, the
37 Assembly and Senate Judiciary Committees, and the Governor on
38 the effectiveness of the program. The first report shall be submitted
39 no later than January 1, 2013, and the second report, no later than
40 January 1, 2018.

1 SEC. 5. Section 1628 of the Health and Safety Code is amended
2 to read:

3 1628. (a) The department may accept public and private funds
4 for the purpose of implementing this article.

5 (b) Any funds made available for purposes of this article,
6 *including fees collected pursuant to Section 103625*, shall be
7 deposited into the Umbilical Cord Blood Collection Program Fund,
8 which is hereby created in the State Treasury. Moneys in the fund
9 shall be available, upon appropriation by the Legislature, for
10 purposes of this article.

11 (c) The fund shall include any federal, state, and private funds
12 made available for purposes of the program, *including, but not*
13 *limited to, the fees collected for the fund pursuant to Section*
14 *103625*, and, notwithstanding Section 16305.7 of the Government
15 Code, any interest earned on moneys in the fund.

16 SEC. 6. Section 1630 of the Health and Safety Code is amended
17 to read:

18 1630. This article shall remain in effect only until January 1,
19 2020, and as of that date is repealed, unless a later enacted statute,
20 that is enacted before January 1, 2020, deletes or extends that date.

21 *SEC. 7. Section 102247 of the Health and Safety Code is*
22 *amended to read:*

23 102247. (a) There is hereby created in the State Treasury the
24 Health Statistics Special Fund. The fund shall consist of revenues,
25 including, but not limited to, all of the following:

26 (1) Fees or charges remitted to the State Registrar for record
27 search or issuance of certificates, permits, registrations, or other
28 documents pursuant to Chapter 3 (commencing with Section
29 26801) of Part 3 of Division 2 of Title 3 of the Government Code,
30 and Chapter 4 (commencing with Section 102525), Chapter 5
31 (commencing with Section 102625), Chapter 8 (commencing with
32 Section 103050), and Chapter 15 (commencing with Section
33 103600) of Part 1 of Division 102.

34 (2) Funds remitted to the State Registrar by the federal Social
35 Security Administration for participation in the enumeration at
36 birth program.

37 (3) Funds remitted to the State Registrar by the National Center
38 for Health Statistics pursuant to the federal Vital Statistics
39 Cooperative Program.

(4) Any other funds collected by the State Registrar, except Children's Trust Fund fees collected pursuant to Section 18966 of the Welfare and Institutions Code, *Umbilical Cord Blood Collection Program Fund fees collected pursuant to Section 1628*, fees allocated to the Judicial Council pursuant to Section 1852 of the Family Code, and fees collected pursuant to Section 103645, all of which shall be deposited into the General Fund.

(b) Moneys in the Health Statistics Special Fund shall be expended by the State Registrar for the purpose of funding its existing programs and programs that may become necessary to carry out its mission, upon appropriation by the Legislature.

(c) Health Statistics Special Fund moneys shall be expended only for the purposes set forth in this section and Section 102249, and shall not be expended for any other purpose or for any other state program.

(d) It is the intent of the Legislature that the Health Statistics Special Fund provide for the following:

(1) Registration and preservation of vital event records and dissemination of vital event information to the public.

(2) Data analysis of vital statistics for population projections, health trends and patterns, epidemiologic research, and development of information to support new health policies.

(3) Development of uniform health data systems that are integrated, accessible, and useful in the collection of information on health status.

(e) *This section shall remain in effect only until January 1, 2020, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2020, deletes or extends that date.*

SEC. 8. *Section 102247 is added to the Health and Safety Code, to read:*

102247. (a) *There is hereby created in the State Treasury the Health Statistics Special Fund. The fund shall consist of revenues, including, but not limited to, all of the following:*

(1) *Fees or charges remitted to the State Registrar for record search or issuance of certificates, permits, registrations, or other documents pursuant to Chapter 3 (commencing with Section 26801) of Part 3 of Division 2 of Title 3 of the Government Code, and Chapter 4 (commencing with Section 102525), Chapter 5 (commencing with Section 102625), Chapter 8 (commencing with*

1 *Section 103050), and Chapter 15 (commencing with Section*
2 *103600) of Part 1 of Division 102.*

3 *(2) Funds remitted to the State Registrar by the federal Social*
4 *Security Administration for participation in the enumeration at*
5 *birth program.*

6 *(3) Funds remitted to the State Registrar by the National Center*
7 *for Health Statistics pursuant to the federal Vital Statistics*
8 *Cooperative Program.*

9 *(4) Any other funds collected by the State Registrar, except*
10 *Children's Trust Fund fees collected pursuant to Section 18966*
11 *of the Welfare and Institutions Code, fees allocated to the Judicial*
12 *Council pursuant to Section 1852 of the Family Code, and fees*
13 *collected pursuant to Section 103645, all of which shall be*
14 *deposited into the General Fund.*

15 *(b) Moneys in the Health Statistics Special Fund shall be*
16 *expended by the State Registrar for the purpose of funding its*
17 *existing programs and programs that may become necessary to*
18 *carry out its mission, upon appropriation by the Legislature.*

19 *(c) Health Statistics Special Fund moneys shall be expended*
20 *only for the purposes set forth in this section and Section 102249,*
21 *and shall not be expended for any other purpose or for any other*
22 *state program.*

23 *(d) It is the intent of the Legislature that the Health Statistics*
24 *Special Fund provide for the following:*

25 *(1) Registration and preservation of vital event records and*
26 *dissemination of vital event information to the public.*

27 *(2) Data analysis of vital statistics for population projections,*
28 *health trends and patterns, epidemiologic research, and*
29 *development of information to support new health policies.*

30 *(3) Development of uniform health data systems that are*
31 *integrated, accessible, and useful in the collection of information*
32 *on health status.*

33 *(e) This section shall become operative on January 1, 2020.*

34 *SEC. 9. Section 103605 of the Health and Safety Code is*
35 *amended to read:*

36 *103605. (a) The money collected by the State Registrar shall*
37 *be deposited with the Treasurer for credit to the Health Statistics*
38 *Special Fund, except for the Children's Trust Fund fees collected*
39 *pursuant to Section 18966 of the Welfare and Institutions Code,*
40 *the Umbilical Cord Blood Collection Program Fund fees collected*

1 pursuant to Section 1628, the fees allocated to the Judicial Council
2 pursuant to Section 1852 of the Family Code, and the fees collected
3 pursuant to Section 103645, all of which shall be deposited in the
4 General Fund.

5 ~~This section shall become operative on July 1, 1995.~~

6 (b) *This section shall remain in effect only until January 1, 2020,*
7 *and as of that date is repealed, unless a later enacted statute, that*
8 *is enacted before January 1, 2020, deletes or extends that date.*

9 SEC. 10. *Section 103605 is added to the Health and Safety*
10 *Code, to read:*

11 103605. (a) *The money collected by the State Registrar shall*
12 *be deposited with the Treasurer for credit to the Health Statistics*
13 *Special Fund, except for the Children's Trust Fund fees collected*
14 *pursuant to Section 18966 of the Welfare and Institutions Code,*
15 *the fees allocated to the Judicial Council pursuant to Section 1852*
16 *of the Family Code, and the fees collected pursuant to Section*
17 *103645, all of which shall be deposited in the General Fund.*

18 (b) *This section shall become operative on January 1, 2020.*

19 SEC. 11. *Section 103625 of the Health and Safety Code is*
20 *amended to read:*

21 103625. (a) A fee of three dollars (\$3) shall be paid by the
22 applicant for a certified copy of a fetal death or death record.

23 (b) (1) A fee of three dollars (\$3) shall be paid by a public
24 agency or licensed private adoption agency applicant for a certified
25 copy of a birth certificate that the agency is required to obtain in
26 the ordinary course of business. A fee of ~~seven dollars (\$7)~~ *nine*
27 *dollars (\$9)* shall be paid by any other applicant for a certified
28 copy of a birth certificate. Four dollars (\$4) of any ~~seven-dollar~~
29 ~~(\$7) nine-dollar (\$9)~~ fee is exempt from subdivision (e) and shall
30 be paid either to a county children's trust fund or to the State
31 Children's Trust Fund, in conformity with Article 5 (commencing
32 with Section 18965) of Chapter 11 of Part 6 of Division 9 of the
33 Welfare and Institutions Code. *Two dollars (\$2) of any nine-dollar*
34 *(\$9) fee is exempt from subdivision (e) and shall be paid to the*
35 *Umbilical Cord Blood Collection Program Fund in conformity*
36 *with Section 1628.*

37 (2) The board of supervisors of any county that has established
38 a county children's trust fund may increase the fee for a certified
39 copy of a birth certificate by up to three dollars (\$3) for deposit in
40 the county children's trust fund in conformity with Article 5

(commencing with Section 18965) of Chapter 11 of Part 6 of Division 9 of the Welfare and Institutions Code.

(c) A fee of three dollars (\$3) shall be paid by a public agency applicant for a certified copy of a marriage record, that has been filed with the county recorder or county clerk, that the agency is required to obtain in the ordinary course of business. A fee of six dollars (\$6) shall be paid by any other applicant for a certified copy of a marriage record that has been filed with the county recorder or county clerk. Three dollars (\$3) of any six-dollar (\$6) fee is exempt from subdivision (e) and shall be transmitted monthly by each local registrar, county recorder, and county clerk to the state for deposit into the General Fund as provided by Section 1852 of the Family Code.

(d) A fee of three dollars (\$3) shall be paid by a public agency applicant for a certified copy of a marriage dissolution record obtained from the State Registrar that the agency is required to obtain in the ordinary course of business. A fee of six dollars (\$6) shall be paid by any other applicant for a certified copy of a marriage dissolution record obtained from the State Registrar.

(e) Each local registrar, county recorder, or county clerk collecting a fee pursuant to subdivisions (a) to (d), inclusive, shall transmit 15 percent of the fee for each certified copy to the State Registrar by the 10th day of the month following the month in which the fee was received.

(f) In addition to the fees prescribed pursuant to subdivisions (a) to (d), inclusive, all applicants for certified copies of the records described in those subdivisions shall pay an additional fee of three dollars (\$3), that shall be collected by the State Registrar, the local registrar, county recorder, or county clerk, as the case may be.

(g) The local public official charged with the collection of the additional fee established pursuant to subdivision (f) may create a local vital and health statistics trust fund. The fees collected by local public officials pursuant to subdivision (f) shall be distributed as follows:

(1) Forty-five percent of the fee collected pursuant to subdivision (f) shall be transmitted to the State Registrar.

(2) The remainder of the fee collected pursuant to subdivision (f) shall be deposited into the collecting agency's vital and health statistics trust fund, except that in any jurisdiction in which a local vital and health statistics fund has not been established, the entire

1 amount of the fee collected pursuant to subdivision (f) shall be
2 transmitted to the State Registrar.

3 (3) Moneys transmitted to the State Registrar pursuant to this
4 subdivision shall be deposited in accordance with Section 102247.

5 (h) Moneys in each local vital and health statistics trust fund
6 shall be available to the local official charged with the collection
7 of fees pursuant to subdivision (f) for the applicable jurisdiction
8 for the purpose of defraying the administrative costs of collecting
9 and reporting with respect to those fees and for other costs as
10 follows:

11 (1) Modernization of vital record operations, including
12 improvement, automation, and technical support of vital record
13 systems.

14 (2) Improvement in the collection and analysis of health-related
15 birth and death certificate information, and other community health
16 data collection and analysis, as appropriate.

17 (i) Funds collected pursuant to subdivision (f) shall not be used
18 to supplant funding in existence on January 1, 2002, that is
19 necessary for the daily operation of vital record systems. It is the
20 intent of the Legislature that funds collected pursuant to subdivision
21 (f) be used to enhance service to the public, to improve analytical
22 capabilities of state and local health authorities in addressing the
23 health needs of newborn children and maternal health problems,
24 and to analyze the health status of the general population.

25 (j) Each county shall annually submit a report to the State
26 Registrar by March 1 containing information on the amount of
27 revenues collected pursuant to subdivision (f) in the previous
28 calendar year and on how the revenues were expended and for
29 what purpose.

30 (k) Each local registrar, county recorder, or county clerk
31 collecting the fee pursuant to subdivision (f) shall transmit 45
32 percent of the fee for each certified copy to which subdivision (f)
33 applies to the State Registrar by the 10th day of the month
34 following the month in which the fee was received.

35 (l) The additional three dollars (\$3) authorized to be charged to
36 applicants other than public agency applicants for certified copies
37 of marriage records by subdivision (c) may be increased pursuant
38 to Section 114.

39 (m) In providing for the expiration of the surcharge on birth
40 certificate fees on June 30, 1999, the Legislature intends that

1 juvenile dependency mediation programs pursue ancillary funding
2 sources after that date.

3 *(n) This section shall remain in effect only until January 1, 2020,*
4 *and as of that date is repealed, unless a later enacted statute, that*
5 *is enacted before January 1, 2020, deletes or extends that date.*

6 SEC. 12. Section 103625 is added to the Health and Safety
7 Code, to read:

8 103625. (a) A fee of three dollars (\$3) shall be paid by the
9 applicant for a certified copy of a fetal death or death record.

10 (b) (1) A fee of three dollars (\$3) shall be paid by a public
11 agency or licensed private adoption agency applicant for a certified
12 copy of a birth certificate that the agency is required to obtain in
13 the ordinary course of business. A fee of seven dollars (\$7) shall
14 be paid by any other applicant for a certified copy of a birth
15 certificate. Four dollars (\$4) of any seven-dollar (\$7) fee is exempt
16 from subdivision (e) and shall be paid either to a county children's
17 trust fund or to the State Children's Trust Fund, in conformity with
18 Article 5 (commencing with Section 18965) of Chapter 11 of Part
19 6 of Division 9 of the Welfare and Institutions Code.

20 (2) The board of supervisors of any county that has established
21 a county children's trust fund may increase the fee for a certified
22 copy of a birth certificate by up to three dollars (\$3) for deposit
23 in the county children's trust fund in conformity with Article 5
24 (commencing with Section 18965) of Chapter 11 of Part 6 of
25 Division 9 of the Welfare and Institutions Code.

26 (c) A fee of three dollars (\$3) shall be paid by a public agency
27 applicant for a certified copy of a marriage record, that has been
28 filed with the county recorder or county clerk, that the agency is
29 required to obtain in the ordinary course of business. A fee of six
30 dollars (\$6) shall be paid by any other applicant for a certified
31 copy of a marriage record that has been filed with the county
32 recorder or county clerk. Three dollars (\$3) of any six-dollar (\$6)
33 fee is exempt from subdivision (e) and shall be transmitted monthly
34 by each local registrar, county recorder, and county clerk to the
35 state for deposit into the General Fund as provided by Section
36 1852 of the Family Code.

37 (d) A fee of three dollars (\$3) shall be paid by a public agency
38 applicant for a certified copy of a marriage dissolution record
39 obtained from the State Registrar that the agency is required to
40 obtain in the ordinary course of business. A fee of six dollars (\$6)

1 *shall be paid by any other applicant for a certified copy of a*
2 *marriage dissolution record obtained from the State Registrar.*

3 *(e) Each local registrar, county recorder, or county clerk*
4 *collecting a fee pursuant to subdivisions (a) to (d), inclusive, shall*
5 *transmit 15 percent of the fee for each certified copy to the State*
6 *Registrar by the 10th day of the month following the month in*
7 *which the fee was received.*

8 *(f) In addition to the fees prescribed pursuant to subdivisions*
9 *(a) to (d), inclusive, all applicants for certified copies of the records*
10 *described in those subdivisions shall pay an additional fee of three*
11 *dollars (\$3), that shall be collected by the State Registrar, the local*
12 *registrar, county recorder, or county clerk, as the case may be.*

13 *(g) The local public official charged with the collection of the*
14 *additional fee established pursuant to subdivision (f) may create*
15 *a local vital and health statistics trust fund. The fees collected by*
16 *local public officials pursuant to subdivision (f) shall be distributed*
17 *as follows:*

18 *(1) Forty-five percent of the fee collected pursuant to subdivision*
19 *(f) shall be transmitted to the State Registrar.*

20 *(2) The remainder of the fee collected pursuant to subdivision*
21 *(f) shall be deposited into the collecting agency's vital and health*
22 *statistics trust fund, except that in any jurisdiction in which a local*
23 *vital and health statistics fund has not been established, the entire*
24 *amount of the fee collected pursuant to subdivision (f) shall be*
25 *transmitted to the State Registrar.*

26 *(3) Moneys transmitted to the State Registrar pursuant to this*
27 *subdivision shall be deposited in accordance with Section 102247.*

28 *(h) Moneys in each local vital and health statistics trust fund*
29 *shall be available to the local official charged with the collection*
30 *of fees pursuant to subdivision (f) for the applicable jurisdiction*
31 *for the purpose of defraying the administrative costs of collecting*
32 *and reporting with respect to those fees and for other costs as*
33 *follows:*

34 *(1) Modernization of vital record operations, including*
35 *improvement, automation, and technical support of vital record*
36 *systems.*

37 *(2) Improvement in the collection and analysis of health-related*
38 *birth and death certificate information, and other community health*
39 *data collection and analysis, as appropriate.*

1 (i) Funds collected pursuant to subdivision (f) shall not be used
2 to supplant funding in existence on January 1, 2002, that is
3 necessary for the daily operation of vital record systems. It is the
4 intent of the Legislature that funds collected pursuant to
5 subdivision (f) be used to enhance service to the public, to improve
6 analytical capabilities of state and local health authorities in
7 addressing the health needs of newborn children and maternal
8 health problems, and to analyze the health status of the general
9 population.

10 (j) Each county shall annually submit a report to the State
11 Registrar by March 1 containing information on the amount of
12 revenues collected pursuant to subdivision (f) in the previous
13 calendar year and on how the revenues were expended and for
14 what purpose.

15 (k) Each local registrar, county recorder, or county clerk
16 collecting the fee pursuant to subdivision (f) shall transmit 45
17 percent of the fee for each certified copy to which subdivision (f)
18 applies to the State Registrar by the 10th day of the month
19 following the month in which the fee was received.

20 (l) The additional three dollars (\$3) authorized to be charged
21 to applicants other than public agency applicants for certified
22 copies of marriage records by subdivision (c) may be increased
23 pursuant to Section 114.

24 (m) In providing for the expiration of the surcharge on birth
25 certificate fees on June 30, 1999, the Legislature intends that
26 juvenile dependency mediation programs pursue ancillary funding
27 sources after that date.

28 (n) This section shall become operative on January 1, 2020.